



**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450

|                        |                   |
|------------------------|-------------------|
| Application No.        | 09/751,862        |
| Filing Date            | December 30, 2000 |
| First Named Inventor   | Steven C. Dake    |
| Art Unit               | 2171              |
| Examiner Name          | Te Y. Chen        |
| Attorney Docket Number | 42390P10206       |

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**RECEIVED**

NOV 14 2003

1. **Submission required under 37 C.F.R. § 1.114**

Technology Center 2100

- a.  Previously submitted
- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 7, 2003  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
- i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
- i.  RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
  - ii.  Extension of time fee (37 C.F.R. § 1.136 and 1.17)
  - iii.  Other: (\$0.00)
- b.  Check in the amount of \$1,394.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosd)

11/12/2003 3DIRETAI 00000108 09751862

|            |        |    |
|------------|--------|----|
| 01 FC:1601 | 770.00 | DP |
| 02 FC:1602 | 108.00 | DP |
| 03 FC:1601 | 516.00 | DP |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                     |                                   |                  |
|-------------------|---------------------|-----------------------------------|------------------|
| Name (Print/Type) | Gregory D. Caldwell | Registration No. (Attorney/Agent) | 39,926           |
| Signature         |                     | Date                              | November 7, 2003 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 7, 2003

|                   |                   |      |                  |
|-------------------|-------------------|------|------------------|
| Name (Print/Type) | Deborah L. Higham | Date | November 7, 2003 |
| Signature         |                   |      |                  |



# FREE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 1,394.00)

*Complete if Known*

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/751,862        |
| Filing Date          | December 30, 2000 |
| First Named Inventor | Steven C. Dake    |
| Examiner Name        | Te Y. Chen        |
| Group/Art Unit       | 2171              |
| Attorney Docket No.  | 42390P10206       |

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## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None  
 Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          | (\$)         |          |                        |          |

### 2. EXTRA CLAIM FEES

| Total Claims       | 26 | 20* = | 6 | X | 18.00 | = | \$108.00 | Fee from below | Fee Paid |
|--------------------|----|-------|---|---|-------|---|----------|----------------|----------|
| Independent Claims | 9  | 3* =  | 6 | X | 86.00 | = | \$516.00 |                |          |

| Large Entity |          | Small Entity |          | Fee Description                                           | Fee Paid |
|--------------|----------|--------------|----------|-----------------------------------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                           |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |          |
| 1203         | 290      | 2203         | 145      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          | (\$)         |          |                                                           | 624.00   |

\*or number previously paid, if greater, For Reissues, see below

## 3. ADDITIONAL FEES

NOV 14 2003

Technology Center 2100

Fee Paid

| Large Entity | Fee Code | Fee (\$) | Small Entity | Fee Code | Fee (\$) | Fee Description                                                            |
|--------------|----------|----------|--------------|----------|----------|----------------------------------------------------------------------------|
|              | 1051     | 130      |              | 2051     | 65       | Surcharge - late filing fee or oath                                        |
|              | 1052     | 50       |              | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |
|              | 2053     | 130      |              | 2053     | 130      | Non-English specification                                                  |
|              | 1812     | 2,520    |              | 1812     | 2,520    | For filing a request for ex parte reexamination                            |
|              | 1804     | 920*     |              | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |
|              | 1805     | 1,840*   |              | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |
|              | 1251     | 110      |              | 2251     | 55       | Extension for reply within first month                                     |
|              | 1252     | 420      |              | 2252     | 210      | Extension for reply within second month                                    |
|              | 1253     | 950      |              | 2253     | 475      | Extension for reply within third month                                     |
|              | 1254     | 1,480    |              | 2254     | 740      | Extension for reply within fourth month                                    |
|              | 1255     | 1,210    |              | 2255     | 605      | Extension for reply within fifth month                                     |
|              | 1404     | 330      |              | 2401     | 165      | Notice of Appeal                                                           |
|              | 1402     | 330      |              | 2402     | 165      | Filing a brief in support of an appeal                                     |
|              | 1403     | 290      |              | 2403     | 145      | Request for oral hearing                                                   |
|              | 1451     | 1,510    |              | 2451     | 1,510    | Petition to institute a public use proceeding                              |
|              | 1452     | 110      |              | 2452     | 55       | Petition to revive - unavoidable                                           |
|              | 1453     | 1,330    |              | 2453     | 665      | Petition to revive - unintentional                                         |
|              | 1501     | 1,330    |              | 2501     | 665      | Utility issue fee (or reissue)                                             |
|              | 1502     | 480      |              | 2502     | 240      | Design issue fee                                                           |
|              | 1503     | 640      |              | 2503     | 320      | Plant issue fee                                                            |
|              | 1460     | 130      |              | 2460     | 130      | Petitions to the Commissioner                                              |
|              | 1807     | 50       |              | 1807     | 50       | Processing fee under 37 CFR 1.17(q)                                        |
|              | 1806     | 180      |              | 1806     | 180      | Submission of Information Disclosure Stmt                                  |
|              | 8021     | 40       |              | 8021     | 40       | Recording each patent assignment per property (times number of properties) |
|              | 1809     | 770      |              | 1809     | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |
|              | 1810     | 770      |              | 2810     | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |
|              | 1801     | 770      |              | 2801     | 385      | Request for Continued Examination (RCE)                                    |
|              | 1802     | 900      |              | 1802     | 900      | Request for expedited examination of a design application                  |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

770.00

Complete (if applicable)

| Name (Print/Type) | Gregory D. Caldwell | Registration No. (Attorney/Agent) | 39,926 | Telephone | (503) 684-6200 |
|-------------------|---------------------|-----------------------------------|--------|-----------|----------------|
| Signature         | 11/07/03            |                                   |        |           |                |